



# CITY OF LODI

PUBLIC WORKS DEPARTMENT

## COUNCIL COMMUNICATION

TO : City Council

FROM: City Manager

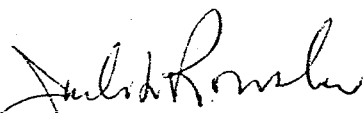
MEETING DATE: April 6, 1988

AGENDA TITLE: Public Hearing to Consider Implementation of a Moratorium on Processing Development Proposals of Properties Currently Outside the City Limits

RECOMMENDED ACTION: That the City Council hold the public hearing and take the appropriate action related to a moratorium on processing development proposals of properties currently outside the existing City limits.

BACKGROUND INFORMATION: The attached memo dated February 2, 1988 was reviewed with the City Council at its shirtsleeve session of January 23, 1988. As discussed with the Council, in order to reserve the existing plant capacity for properties already within the City limits, a moratorium on new developments, currently outside the City limits, must be implemented and remain in effect until the City's treatment plant expansion project is completed. This plant expansion project will increase the capacity from 6.2 MGD to 8.5 MGD and is presently scheduled to be completed in January of 1991. Attached is an updated project schedule for this expansion.

Also attached is the draft ordinance prepared by the City Attorney covering the subject matter which includes the Council's direction on providing for development of commercial and industrial projects on a case-by-case basis.

  
**Jack L. Ronsko**  
Public Works Director  
JLR/ma

### Attachments

cc: Community Development Director  
City Attorney  
Mike Bradley, Chamber of Commerce

APPROVED:

  
THOMAS A. PETERSON, City Manager

FILE NO.

CMORAT02/TXTW.02M

March 30, 1988

ORDINANCE NO. 1424

AN URGENT INTERIM ORDINANCE OF THE LODI CITY COUNCIL  
AMENDING TITLE 17 ZONING AND CHAPTER 13.12  
OF THE LODI MUNICIPAL CODE

SECTION 1. Pursuant to Government Code § 65858(c), the Lodi City Council has made the following findings regarding a current and immediate threat to the public health, safety, or welfare, regarding the approval of any general plan amendments, rezonings, or tentative maps for any areas not presently within the corporate limits of the City of Lodi, which the City would be required to serve from its White Slough Water Pollution Control Facility (WSWPCF), and for which there is not present domestic sewerage capacity:

FINDINGS:

1. WSWPCF is presently receiving approximately 6.0 million gallons per day (MGD).
2. On October 21, 1987, the City Council pursuant to Resolution No. 87-138 awarded a contract for the WSWPCF interim aeration improvements.
3. The new design capacity of WSWPCF with the interim aeration improvements which were just completed, is 6.2 MGD. This new capacity will only permit the City of Lodi to serve the areas presently in the corporate limits of the City of Lodi.
4. The attached Exhibit A Capacity Evaluation of the WSWPCF shows that at the present development rate of the existing residential lots

and acreage already within the City limits, the WSWPCF with its recent improvement will again be at capacity around January 1990. Any attempt to serve areas outside the present corporate limits of the City of Lodi could result in danger to the health, safety and welfare, in that the WSWPCF could not then handle the sewage from areas already within the existing City Limits.

5. On February 18, 1987, the City Council approved the master agreement and preliminary engineering agreement for wastewater consulting services related to the WSWPCF plant expansion which will increase the capacity from 6.2 MGD to 8.5 MGD. This plant expansion is not scheduled for completion until January 1991.

NOW, THEREFORE, BE **IT ORDAINED** BY THE LCDI CITY COUNCIL as follows:

SECTION 2. Lodi Municipal Code Title 17 Zoning and Lodi Municipal Code Chapter 13.12 are hereby amended, effective on the date of the adoption of this ordinance, as follows:

1. Until the date that the White Slough Water Pollution Control Facility (WSWPCF) expansion project is completed and operational, the City of Lodi shall not permit any new residential sewer connection to the domestic sewer system for any areas currently lying outside of the City of Lodi corporate limits. Except that the City Council may approve on a case-by-case basis, a sewer connection to the domestic sewer system for a commercial or industrial project upon the annexation of said project.

2. Until eighteen months before the date that the WSWPCF expansion project is expected to be completed and operational, because of the lack of domestic sewage capacity at WSWPCF, the City of Lodi shall not approve any general plan amendments, rezonings, or tentative maps for any parcel which is not presently within the corporate limits of the City of Lodi. Except that the City Council may approve on a case-by-case basis, a general plan amendment, rezoning or tentative map for any commercial or industrial project, which project is not presently within the corporate limits of the City of Lodi.

SECTION 3. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 4. This urgency interim ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall **be** in force and take effect immediately upon its passage.

Approved this       day of

\_\_\_\_\_  
EVELYN M. OLSON  
Mayor

Attest:

ALICE M. REIMCHE  
City Clerk

State of California  
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. \_\_\_\_\_ was adopted as an urgency interim ordinance at a regular meeting of the City Council of the City of Lodi held \_\_\_\_\_ and was thereafter passed, adopted and ordered to print by the following vote:

Ayes :            Council Members -  
Noes :            Council Members -  
Absent:           Council Members -  
Abstain :        Council Members -

I further certify that Ordinance No. \_\_\_\_\_ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

ALICE M. REIMCHE  
City Clerk

Approved as to Form

RONALD M. STEIN  
City Attorney

ORDANNEX.2/TXTA.01V

CAPACITY EVALUATION OF  
WHITE SLOUGH WATER POLLUTION CONTROL FACILITY

DESIGN CAPACITY

New Design Capacity with Aeration Improvements  
to be completed in March 1988

6.2 MGD ±

EXISTING FLOWS

Average Monthly Flows

	<u>Monthly Average</u>	<u>Average Peaks</u>
August 19137	6.19 MGD	8.2 MGD
September	6.00	8.0
October	5.96	8.1
November	5.88	8.3
December	<u>5.713</u>	<u>8.1</u>

Average 5.96 MGD 8.14 MGD

Use 6.00 MGD as existing plant flow (as of 1/1/88)

POTENTIAL NEW UNITS

Existing Permits Not Finaled (as of 1/1/88)

<u>Type</u>	<u>Permits</u>	<u>Units</u>
Single Family	139	139
Duplex	12	24
Multiple Family	8	64
Commercial/Industrial & Churches	27	27*
		254 units

Buildable Single Family (as of 1/1/88)

<u>Subdivision</u>	<u>Units</u>
Lakewood	2
Johnson Ranch	62
Lodi Park West	79
Mokelumne Village	15
Rivergate	13
Rivergate Place	2
Sunwest	51
Tandy Ranch	50
Whispering Oaks	<u>4</u>
	276 units

\*Assumes each permit equivalent to 1 living unit.

Potential Residential Lots

<u>Single Family</u>	<u>Units</u>
Sunwest (Future)	78
Parkview Terrace	90
Apple Orchard	40
Mokelumne Village IA (SOL)	6
Mokelumne Village II	38
Meadows II	42
<u>Multi-Family</u>	
Century 22	22
Meadows II	130
Johnson Ranch	76
South Church Street Parcel	<u>115</u>
	637 units

Potential Commercial & Industrial (1/88 to Plant Expansion 1/91)

3 years X 30 permits/year X 1 unit\*                      90 units

POTENTIAL FLOW (as of Plant Expansion 1/91)

<u>Type</u>	<u>Units</u>
Existing Permits	254
Buildable Lots	276
Potential Residential Lots	637
Potential Commercial/Industrial	<u>90</u>
	1,257 units**

1,257 units X 2.544 persons/unit X 100 gallons per capita per day = 0.32 MGD

Potential Flow = Existing Flow (1/88) + Potential New Flow (1/88 to 1/91)

= 6.0 MGD + 0.32 MGD

= 6.32 MGD

EXCESS CAPACITY (as of 1/91)

Excess Capacity = Design Flow - Potential Flow

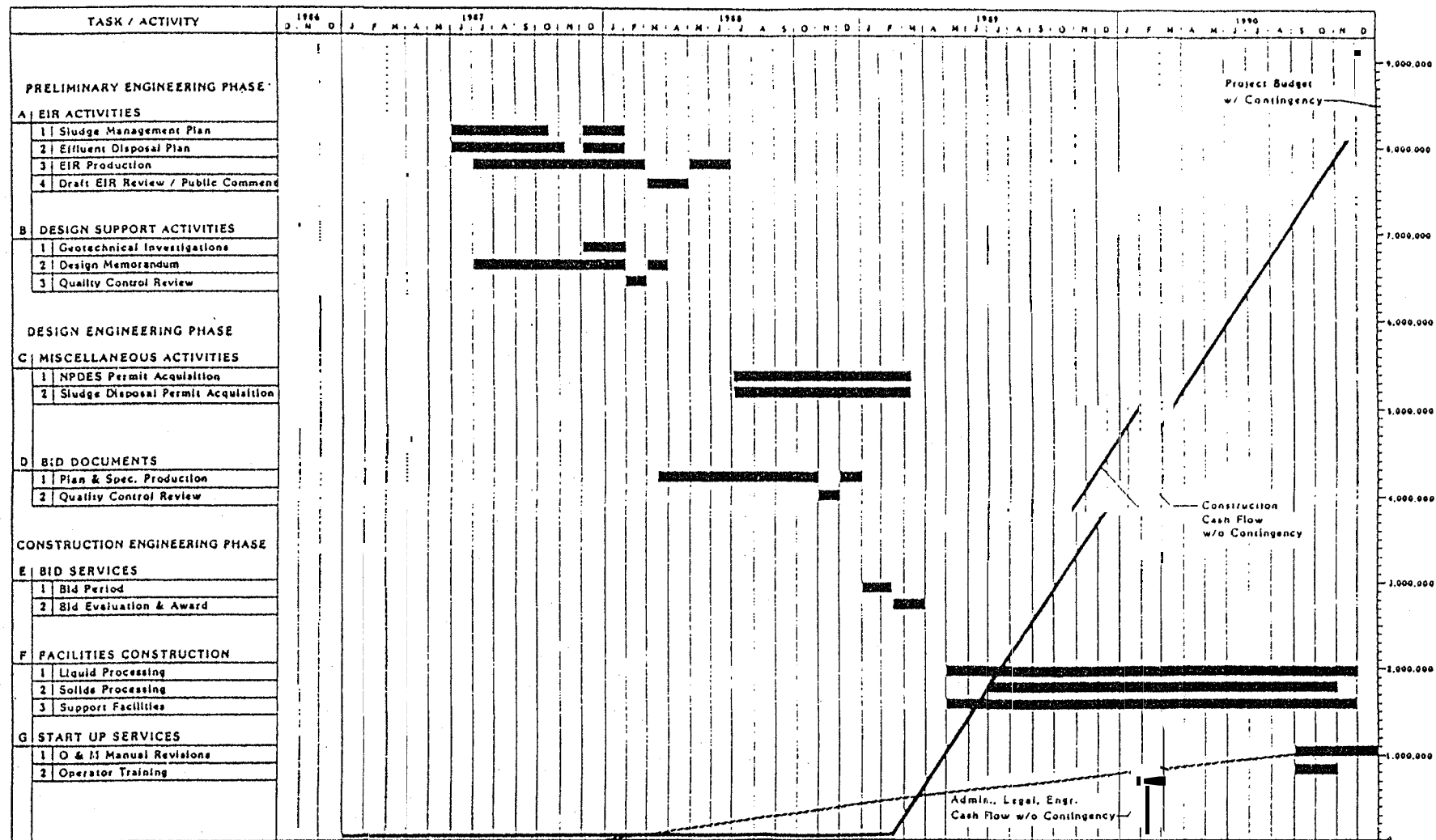
= 6.2 MGD - 6.32 MGD

= (-) 0.12 MGD

\*Assumes each permit equivalent to 1 living unit.

\*\*In 1986 and 1987, approximately 600 units were approved per year. Therefore, based on this growth, the existing plant will be 0.12 MGD over capacity by January 1990.

# CITY OF LODI PRELIMINARY EXPANSION PROJECT SCHEDULE AND CASH FLOW REQUIREMENTS



BLACK & VEATCH  
Walnut Creek, CA  
March 21, 1988



NOTICE OF PUBLIC HEARING  
TO CONSIDER IMPLEMENTATION OF A MORATORIUM  
ON PROCESSING DEVELOPMENT PROPOSALS OF PROPERTIES  
CURRENTLY OUTSIDE THE CITY LIMITS

NOTICE IS **HEREBY** GIVEN that on Wednesday, April 6, 1988 at the hour of 7:30 p.m. or as soon thereafter as the matter may be heard, the Lodi City Council will conduct a public hearing to consider implementation of a moratorium on processing development proposals of properties currently outside the city limits.

Information regarding this item may be obtained in the office of the City Clerk, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein and oral statements may be made at said hearing.

If you challenge the subject matter in court you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to, the public hearing.

By Order of the Lodi City Council

*Alice M. Reimche*  
Alice M. Reimche  
City Clerk

Dated: March 2, 1988

Approved as to form

Ronald M. Stein  
City Attorney